



10/041768

c.f.c.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MILLER et al.

Attorney Docket No.: 501-P001

Patent: 7,231, 606

Issued: June 12, 2007

Title: METHOD AND SYSTEM
FOR TESTING WEBSITES

**REQUEST FOR CERTIFICATE OF CORRECTION
OF OFFICE MISTAKE
(35 U.S.C. §254, 37 CFR §1.322)**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Attn: Certificate of Correction

Certificate
MAR 09 2009
of Correction

Dear Sir:

Attached is Form PTO-1050 (Certificate of Correction) at least one copy of which is suitable for printing. The errors together with the exact page and line number where the errors are shown correctly in the application file are as follows:

Col. 20, line 30 (claim 12, line 3), "truing" should be --timing--.

Col. 21, line 10 (claim 17, line 4), "byte" should be --by the--.


Patentee hereby requests expedited issuance of the Certificate of Correction because the error lies with the Office and because the error is clearly disclosed in the records of the Office. As required for expedited issuance, enclosed is documentation

MAR 10 2009

that unequivocally supports the patentee's assertion without needing reference to the patent file wrapper.

It is noted that the above-identified errors were printing errors that apparently occurred during the printing process. Accordingly, it is believed that no fees are due in connection with the filing of this Request for Certificate of Correction. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-4298 (Order No. 501-P001).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Douglass Thomas". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

C. Douglass Thomas
Registration No. 32,947

MAR 10 2009

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 7,231,606
APPLICATION NO.: 10/041,768
ISSUE DATE : June 12, 2007
INVENTOR(S) : MILLER et al.

Page 1 of 1

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 20, line 30 (claim 12, line 3), "truing" should be --timing--.

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MAILING ADDRESS OF SENDER (Please do not use customer number below):

Technology & Innovation Law Group, PC
19200 Stevens Creek Blvd., Ste. 240
Cupertino, CA 95014

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

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APPLICATION NO.: 10/041,768

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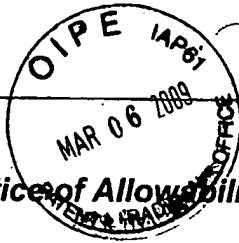
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MAR 10 2009

Notice of Allowability



Application No.

10/041,768

Examiner

Ba Huynh

Applicant(s)

MILLER ET AL.

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The telephone interview on 1/18/07.
2. ☒ The allowed claim(s) is/are 2-5,23-32 and 34-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

BA HUYNH
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael J. Ferrazano on 1/18/07.

The application has been amended as follows:

See listing of claims as attached.

Claims 2-5, 23-32, 34-40 allowed.

The following is an examiner's statement of reasons for allowance: Independent claims 2 and 35, when considered as a whole, are allowable over the prior art of record. Specifically, prior art of record fail to clearly teach or suggest the script playback component automatically adapts playback to account for minor website changes in a current website page by searching up and down within the current website page until a nearly correct match is found at which point the script playback component proceeds with playback. Dependent claims 3-5, 23-32, 35-40 further add limitation to the allowable subject matter of the corresponding independent claims, thus are also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 2179

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ba Huynh
Primary Examiner
AU 2179
2/3/07

BA HUYNH
PRIMARY EXAMINER

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (Cancelled)
2. (Currently Amended) A test-enabled web browser for operation on a computing device, comprising:
 - standard browsing components;
 - a load testing component that operates to test a website server in accordance with a load;
 - and
 - a graphical user interface to provide user access to said standard browsing components and said load testing component,
 - wherein when said load testing component is activated, a number of multiple copies of said test-enabled web browser operate on a single client machine having its cache turned off, with each of the multiple copies of said test-enabled browser separately executing a playback script, and
 - wherein the load applied to the website server by the number of multiple copies of said test-enabled web browser is dependent on the number; and
 - at least one of a script record component, a script playback component, a content validation component, a download timing monitor component, and a quality analysis component, wherein the script playback component automatically adapts playback to account for minor website changes in a current website page by searching up and down within the current website page until a nearly correct match is found at which point the script playback component proceeds with playback.
3. (Previously Presented) A test-enabled browser as recited in claim 2, wherein said test-enabled browser further comprises at least one of a script record component, a script playback component, a content validation component, a download timing monitor component, and a quality analysis component.
4. (Previously Presented) A test-enabled browser as recited in claim 2, wherein said standard browsing components comprises Dynamic Linked Library (DLL) components.

5. (Previously Presented) A test-enabled browser as recited in claim 4, wherein the DLL components pertain to Internet Explorer technology.

6. - 22. (Cancelled)

23. (Currently Amended) A test-enabled browser as recited in claim 2, wherein the playback script was previously recorded from within said test-enabled browser based on user interaction with said test-enabled browser while accessing the website.

24. (Previously Presented) A test-enabled browser as recited in claim 23, wherein the script record further records details for a given web page being presented by said test-enabled browser.

25. (Previously Presented) A test-enabled browser as recited in claim 24, wherein the details include checksums and item counts.

26. (Previously Presented) A test-enabled browser as recited in claim 24, wherein the details are acquired by accessing a Document Object Model (DOM) for the given web page.

27. (Previously Presented) A test-enabled browser as recited in claim 24, wherein the given web page is analyzed for properties of interest to a user, as specified and selected with user pull-down menus, and the required data is recorded into a script file for later comparative use during playback.

28. (Previously Presented) A test-enabled browser as recited in claim 2, wherein said test-enabled browser further comprises a script record component and a script playback component.

29. (Previously Presented) A test-enabled browser as recited in claim 28, wherein the script playback component can adaptively playback the playback script.

30. (Previously Presented) A test-enabled browser as recited in claim 28, wherein said test-enabled browser further comprises a download timing monitor component.

31. (Previously Presented) A test-enabled browser as recited in claim 30, wherein said test-enabled browser further comprises a content validation component.

32. (Previously Presented) A test-enabled browser as recited in claim 31, wherein said test-enabled browser further comprises a quality analysis component.

33. (Cancelled)

34. (Previously Presented) A test-enabled browser as recited in claim 2,
wherein the details are acquired by accessing a Document Object Model (DOM) for the given web page,

wherein said test-enabled browser further comprises a script record component and a script playback component,

wherein the script playback component can adaptively playback the playback script, and
wherein said test-enabled browser further comprises a content validation component.

35. (Currently Amended) A computer readable storage medium including at least computer program code for providing a web browser with test capabilities, said computer readable medium comprising:

computer program code for load testing a website server in accordance with a load; ~~and~~
computer program code for presenting a graphical user interface to provide user access to initiate and configure the load testing of a website server,

wherein, when load testing is activated, a number of multiple copies of the web browser with test capabilities operate on a single client machine, with each of the multiple copies of the web browser separately executing a playback script, the playback script being previously recorded from within the web browser based on user interaction with the web browser while accessing the website server, and

wherein the load applied to the website server by the number of multiple copies of the web browser with test capabilities is dependent on the number; ~~and~~

computer code for automatically adapting playback to account for minor website changes in a current website page by searching up and down within the current website page until a nearly correct match is found at which point the script playback component proceeds with playback

36. (Previously Presented) A computer readable medium as recited in claim 35, wherein execution of the playback script is adaptive so as to resolve or ignore minor changes to one or more web pages being provided by the website server.

37. (Previously Presented) A computer readable medium as recited in claim 36, wherein at least one of the one or more web pages provided by the website server being tested is a dynamically generated webpage.

38. (Previously Presented) A computer readable medium as recited in claim 37, wherein the playback script adapts to the playback with respect to the dynamically generated web page.

39. (Previously Presented) A computer readable medium as recited in claim 37,
wherein the playback script record further records details for a given web page being accessible by the web browser, and
wherein the details include checksums and item counts.

40. (Previously Presented) A computer readable medium as recited in claim 35, wherein said computer program code for load testing comprises a download timing monitor module, a content validation module, and a quality analysis module.